

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HODELL-NATCO INDUSTRIES, INC.)	Case No. 1:08-CV-02755
)	
Plaintiff,)	JUDGE LESLEY WELLS
)	
v.)	
)	
SAP AMERICA, INC., <i>et al.</i> ,)	<u>MOTION OF DEFENDANTS SAP</u>
)	<u>AMERICA, INC. AND SAP AG FOR</u>
)	<u>LEAVE TO EXCEED PAGE LIMIT</u>
Defendants.)	

Pursuant to Local Rule 7.1(f), Defendants SAP America, Inc. ("SAP America") and SAP AG ("SAP AG") (collectively referred to as "SAP") respectfully request leave to file a Brief In Support of SAP's Motion To Dismiss Plaintiff's Amended Complaint Pursuant Fed. R. Civ. P. 12(b) in excess of the twenty page limit. SAP's Brief will be not more than thirty (30) pages.

In the interests of judicial economy, SAP America and SAP AG, collectively, have drafted a single motion to dismiss, which they intend to file on or before June 1, 2009. On May, 21, 2009, pursuant to SAP's Motion For Leave To Exceed Page Limit filed on May 20, 2009 (wherein SAP requested leave of Court to file a brief not to exceed twenty-five (25) pages), the Court granted leave for SAP to file a brief not to exceed twenty-five (25) pages. However, in preparing a single brief that fully addresses the issues raised by Plaintiff's Amended Complaint, SAP America and SAP AG have realized that a few additional pages are needed. Plaintiff's Amended Complaint contains 95 paragraphs (as compared to 61 in Plaintiff's original complaint), as well as an additional cause of action (which was not included in the original

complaint). It was only after May 21, 2009, during SAP's ongoing efforts to draft a single brief setting forth the arguments of both SAP America and SAP AG in a concise manner, did SAP come to this realization. SAP makes this request in good faith, not for any improper purpose, and in the interests of judicial economy.

For the foregoing reasons, SAP respectfully requests that this Court enter an Order granting it leave to file Brief In Support of SAP's Motion To Dismiss Plaintiff's Amended Complaint Pursuant Fed. R. Civ. P. 12(b) exceeding twenty (20) pages in length, and not to exceed thirty (30) pages.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of May, 2009, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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